

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

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MARY LOUISE PEASLEE,     )  
Individually and as     )  
Executrix of the Estate)  
of Paul C. Peaslee,     )  
deceased,                 )  
                              )  
                  Plaintiff,     )  
                              )  
                  vs.             ) Civil Action  
                              ) No. 1:10-cv-105  
KAWASAKI MOTORS CORP.,     )  
USA, a foreign             )  
corporation,                )  
                              )  
                  Defendant.    )

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VIDEOTAPED DEPOSITION OF RICKY K. PEASLEE

- - - - -

March 9, 2011

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EXHIBIT

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1 R. Peaslee - by Mr. Marrion  
 2 Q. Okay. So she said that your father  
 3 was trapped underneath the Mule?  
 4 A. Right.  
 5 Q. When she called you on the second  
 6 time?  
 7 A. Yes.  
 8 Q. But she didn't say how he became  
 9 trapped underneath it, did she?  
 10 A. No.  
 11 Q. What time -- when you got to Ruby,  
 12 and that's Ruby Memorial?  
 13 A. Yes.  
 14 Q. Was your father in -- what did you  
 15 see? Where was your father located?  
 16 A. He was in the emergency room area.  
 17 Or maybe on -- I mean, he was in a holding area  
 18 waiting to -- he required surgery.  
 19 Q. Okay. Was your mother there at that  
 20 time?  
 21 A. Yes.  
 22 Q. Who else from your family was there?  
 23 A. I believe my sister might have been  
 24 there at some point in that -- you know, at  
 25 some point that afternoon.

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1 R. Peaslee - by Mr. Marrion  
 2 Q. Okay. Was she --  
 3 A. I don't know if she was there right  
 4 at the time. I think she was there when I  
 5 first got there.  
 6 Q. Okay. What about your Uncle John?  
 7 Was he there when you arrived?  
 8 A. No.  
 9 Q. Was your father conscious? Was he  
 10 awake?  
 11 A. Yes.  
 12 Q. Was he lucid? Could he talk to you?  
 13 A. He could talk.  
 14 Q. Okay. Was he in a, you know, in a  
 15 gurney, in a bed?  
 16 A. He was in a -- a gurney. A cart. I  
 17 mean, he was propped up.  
 18 Q. Okay. And it was your understanding  
 19 he was waiting to go into surgery when you saw  
 20 him?  
 21 A. Yes.  
 22 Q. Okay. Do you know if he was on  
 23 medication, pain medication, when you first saw  
 24 him?  
 25 A. I think -- I'm almost sure he was

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1 R. Peaslee - by Mr. Marrion  
 2 because he was -- his leg was hurting.  
 3 Q. Okay. Did he tell you his leg was  
 4 hurting --  
 5 A. Yes.  
 6 Q. -- when you talked to him?  
 7 A. Yes.  
 8 Q. Did he tell you any other parts of  
 9 his body were hurting when you talked to him?  
 10 A. No.  
 11 Q. Okay. Did you happen -- did you two  
 12 talk about how the accident happened?  
 13 A. Yes. Just -- I mean, we were more  
 14 concerned about his well-being at that time but --  
 15 Q. Okay.  
 16 A. Yes, we did.  
 17 Q. What did you talk about?  
 18 A. He said that he was out checking on  
 19 the cattle and some he couldn't find. He went  
 20 up along the fence line to see if he could see  
 21 where they might have gotten out. He saw a  
 22 tree limb on the fence, and so he stopped the  
 23 Mule to get out to take the tree limb off.  
 24 And as he went to get out, his leg,  
 25 his left leg, hit the emergency brake and

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1 R. Peaslee - by Mr. Marrion  
 2 released it, and it rolled downhill and hit the  
 3 tree and then flipped over on him and trapped  
 4 him underneath of it.  
 5 Q. Okay. Did he tell you where on the  
 6 farm this occurred?  
 7 A. It was at the -- one of the farms  
 8 that he rents at the Craig -- we call it the  
 9 Craig Place.  
 10 Q. Okay. Did he tell you where on the  
 11 Craig Place farm it happened?  
 12 A. Not exactly. I mean, it was --  
 13 Q. Did he tell you generally where it  
 14 happened?  
 15 A. It was along, you know -- he was  
 16 along -- looking along the fence line on the --  
 17 I know on the back side -- there is a front  
 18 side and a back side of the Craig Place. He  
 19 said it was on the back side.  
 20 Q. Okay. Did he tell you what time of  
 21 day it happened?  
 22 A. He didn't tell me, no. No, he  
 23 didn't tell me.  
 24 Q. Did he tell you if anyone was with  
 25 him?